

**DECLARATION****INVENTORSHIP IDENTIFICATION**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

BUSINESS ENTERPRISE BACKUP AND RECOVERY SYSTEM AND METHOD
TITLE OF INVENTION

SPECIFICATION IDENTIFICATION

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on October 30, 2003, as ☒ Serial No. 10/698,060
☐ and was amended on (*if applicable*).
- (c) ☐ was described and claimed in PCT International Application No. filed on
☐ and was amended on . (*if applicable*).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)
(Prior Foreign/Pct Application(S) Filed Within 12 Months
(6 Months For Design) Prior To This Application)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate(s) or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. § 119(e)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
60/483,216	June 27, 2003

CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. 120

(All Foreign Application(S), *If Any*, Filed More Than 12 Months
(6 Months For Design) Prior To This U.S. Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. (<i>If applicable</i>)

DECLARATION

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom

SIGNATURE(S)

Joseph (GIVEN NAME) L. (MIDDLE INITIAL OR NAME) Aultman (FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship - USA
Residence Pelham, AL 35124
Mailing Address: 161 Brook Green Lane, Pelham, AL 35124

Richard (GIVEN NAME) J. (MIDDLE INITIAL OR NAME) Kittinger (FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship - USA
Residence Hoover, AL 35226
Mailing Address: 1612 Colesbury Circle, Hoover, AL 35226

☐ Signature by administrator(trix), or legal representative for deceased or incapacitated inventor.

Number of pages added _____.

☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____.

☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) Number of pages added _____

☐ Authorization of attorney(s) to accept and follow instructions from representative.

☒ This declaration ends with this page.



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Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
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U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. (<i>If applicable</i>)

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SIGNATURE(S)

(GIVEN NAME) (MIDDLE INITIAL OR NAME) (FAMILY (OR LAST NAME))

Inventor's signature _____

Date _____ Country of Citizenship USA

Residence Pelham, AL 35124

Mailing Address: 161 Brook Green Lane, Pelham, AL 35124

(GIVEN NAME) (MIDDLE INITIAL OR NAME) (FAMILY (OR LAST NAME))

Inventor's signature Richard J. Kittinger

Date 2/26/04 RJK Country of Citizenship USA

Residence Hoover, AL 35226

Mailing Address: 1612 Colesbury Circle, Hoover, AL 35226

☐ **Signature** by administrator(trix), or legal representative for deceased or incapacitated inventor.

Number of pages added _____.

☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* _____.

☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) *Number of pages added* _____

☐ Authorization of attorney(s) to accept and follow instructions from representative.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aultman et al.
Application No.: 10/698,060
Filed: October 30, 2003

For: BUSINESS ENTERPRISE BACKUP AND RECOVERY SYSTEM AND METHOD

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box: 1450
Alexandria, VA 22313-1450

**STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO
IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION**

NOTE: This form is to be used when the declaration only indicates the name(s) of the inventor(s) and the title of the invention. Notice of September 12, 1983, 1035 O.G. 3.

I,

Roberto Capriotti

Name of Practitioner

Kirkpatrick & Lockhart LLP

P.O. Address

Henry W. Oliver Building, 535 Smithfield Street, Pittsburgh, Pennsylvania 15222-2312

Reg. No. 46,599

Tel. No. (412) 355-8956

state I am the registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.


SIGNATURE OF PRACTITIONER

Customer No.: 26285

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the
Box: Missing Part, Commissioner for Patents,
P.O. Box: 1450, Alexandria, VA 22313-1450.

Date: _____

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature _____

(type or print name of person certifying)

(Statement by Practitioner That Application Filed in PTO is the One Inventor Executed by Signing Declaration

[5-10))